

**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

In the Matter of the Suspension	)	
	)	
of the Educator Certificate of	)	<b>ORDER OF SUSPENSION</b>
	)	
Cheryl D. Fitts-Brown,	)	
	)	
Certificate 176076	)	

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on February 13, 2008. On February 8, 2007, the State Department of Education (Department) sent Cheryl D. Fitts-Brown a notice of her right to a hearing regarding the possible suspension of her South Carolina educator certificate. Upon receipt of the notice, Ms. Fitts-Brown agreed to waive her right to a hearing and to enter into a repayment plan. The Department then sent Ms. Fitts-Brown a repayment agreement. Ms. Fitts-Brown signed the agreement on June 29, 2007. The signed repayment agreement and an initial payment of \$100.00 were received by the Department on July 2, 2007. Ms. Fitts-Brown made three additional payments of \$100.00 on August 2, 2007; September 28, 2007; and November 2, 2007. Thereafter, Ms. Fitts-Brown failed to comply with the terms of the repayment agreement. Ms. Fitts-Brown has not repaid the remaining balance of \$750.00 which is now past due. After considering the information presented, the State Board voted to suspend Ms. Fitts-Brown's certificate until she repays the full amount owed on her outstanding loan with the State of South Carolina obtained through the Center for Teacher Education, Recruitment, Retention and Advancement (CERRA).

**FINDINGS OF FACT**

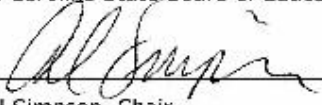
Ms. Fitts-Brown holds a valid South Carolina educator certificate and has over twelve years of teaching experience. On July 17, 2001, Ms. Fitts-Brown signed a promissory note with the State of South Carolina to obtain a

loan of \$2300 to pay for the costs of applying for certification from the National Board for Professional Teaching Standards (NBPTS). One of the terms of that promissory note was that the loan recipient would be obligated to repay one half of the loan amount, \$1150, if after participation in the process for one year, she did not continue or otherwise successfully complete the process of obtaining NBPTS certification. Under this term of the agreement, Ms. Fitts-Brown is now obligated to repay the outstanding amount owed. CERRA and the Department have sent several letters to Ms. Fitts-Brown informing her that the \$1150 was due and of the consequences for failing to repay the amount due. After receiving notice of the possible suspension of her educator certificate, Ms. Fitts-Brown agreed to waive her right to a hearing and to enter into a repayment agreement. Ms. Fitts-Brown executed the repayment agreement on June 29, 2007. The signed repayment agreement and an initial payment of \$100.00 were received by the Department on July 2, 2007. Ms. Fitts-Brown submitted subsequent payments of \$100.00 on August 2, 2007; September 28, 2007; and November 2, 2007. Thereafter, Ms. Fitts-Brown failed to comply with the terms of the repayment agreement. Ms. Fitts-Brown has not repaid the remaining balance of \$750.00 that is now past due.

#### **CONCLUSIONS OF LAW**

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. §§ 59-25-150 and 160 (2004). The State Board finds that there is sufficient information to support its decision to suspend Ms. Fitts-Brown's educator certificate from the date of this Order until she has satisfied her remaining financial obligation to the State of South Carolina, as established in the promissory note referenced above. Upon full payment of the balance due, if Ms. Fitts-Brown wishes to have her certificate reinstated, she may make a written request for reinstatement to the Office of Educator Certification of the Department of Education.

South Carolina State Board of Education

By:   
Al Simpson, Chair

Columbia, South Carolina  
February 13, 2008